

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**DONALD EBNER,**

**Plaintiff,**

**v.**

**THE BANK OF NOVA SCOTIA,**

**Defendant.**

**1:18-cv-00002**

**TO: Vincent A. Colianni, II, Esq.**  
**Marina Leonard, Esq.**  
**Carol Ann Rich, Esq.**

**ORDER**

THIS MATTER came before the Court on December 19, 2018, for hearing upon Defendant The Bank of Nova Scotia's Motion to Dismiss or, in the alternative, Motion for Summary Judgment (ECF No. 19). Marina Leonard, Esq., appeared on behalf of Plaintiff. Carol Ann Rich, Esq., represented Defendant.

At the hearing, having heard the arguments of counsel, the Court requested supplemental briefing regarding two issues: 1.) whether the Court should consider equitable tolling and 2.) whether the doctrine of continuing violations applies.

WHEREFORE, it is now hereby **ORDERED** that the parties shall file supplemental briefs regarding the issues of equitable tolling and continuing violations **on or before January 11, 2019.**

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ENTER:

Dated: December 19, 2018

/s/ George W. Cannon, Jr.  
GEORGE W. CANNON, JR.  
MAGISTRATE JUDGE